

CERTIFICATE OF MAILING

hereby certify that these papers are being deposited with the U.S. Postal Service as First Class Mail under 39 CFR 111.1 in an envelope addressed to: Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 15, 2003

Signature: _____

Rhonda J. Stine
Rhonda J. Stine

Date: _____

12/15/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MODY et al.

Examiner: Unassigned

Serial No.: 10/659,499

Group Art Unit: Unassigned

Filing Date: 09/10/2003

Attorney Docket No. 4200.02 US

For: NOVEL METALLOTEXAPHYRIN
DERIVATIVES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the above-entitled patent application are the following documents:

1. Transmittal of Information Disclosure Statement (In Duplicate);
2. PTO Form 1449 (5 pages);
3. Certificate of Mailing by First Class Mail; and a
4. Return Postcard

Please charge Deposit Account No. 16-1450 any fees that may be required, or credit any overpayment to Account No. 16-1450. A duplicate of this document is enclosed.

Respectfully submitted,

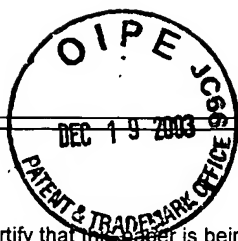
Date: 15th Dec. '03

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PATENTS
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: Examiner: Unassigned
:
:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Transmitted herewith for filing in the above-entitled patent application is an Information Disclosure Statement, in compliance with 37 CFR 1.97, with referenced documents A1-A55, B1-B14 & C1-C3. Also included are a return postcard and PTO Form 1449.

Applicants respectfully submit that the above-identified patent application is a continuation in part, and claims the benefit of priority from, U.S. Patent Application No. 09/941,924, filed August 28, 2001, now U.S. Patent No. 6,638,924, issued October 28, 2003. Pursuant to 37 CFR 1.98(d) Applicants have not included physical copies of the above-cited references as they were previously filed in the aforementioned parent application.

[X] The Information Disclosure Statement is being submitted: (a) within three months of the filing date, or (b) before the mailing date of the first Office action on the merits. Therefore, no fee is due under 37 CFR 1.97(b).

[] The Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311. Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(1) that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office on a counterpart foreign application not more than three months prior to the filing of the Statement. Therefore, no fee is due under 37 CFR 1.97(c).

[] The Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311. Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(2) that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a foreign counterpart application, or, to the undersigned Attorney's knowledge after making reasonable inquiry, was known to any person designated in §1.56(c) more than three months prior to the filing of the Statement. Therefore, no fee is due under 37 CFR 1.97(c).

Deposit Account Authorization

[] The Information Disclosure Statement is submitted more than three months after the filing date and after the mailing date of the first Office action on the merits, but, before a final action under § 1.113 or a notice of allowance under § 1.311, without certification under 37 CFR 1.97(e). Therefore, only if this entry is checked in the left margin, the \$230.00 fee set forth in §1.17(p) is authorized below.

[] The Information Disclosure Statement is submitted after the mailing date of a final action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.

[] Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(1) that each item of information contained in the Information Disclosure Statement was cited in a communication

from a foreign patent office on a counterpart foreign application not more than three months prior to the filing of the Statement.

☐ Applicant(s)' attorney hereby certifies under 37 CFR 1.97(e)(2) that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a foreign counterpart application, or, to the undersigned Attorney's knowledge after making reasonable inquiry, was known to any person designated in §1.56(c) more than three months prior to the filing of the Statement.

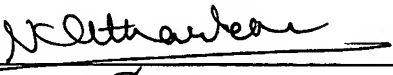
Applicant(s) hereby petition requesting consideration of the Information Disclosure Statement. Therefore, only if this entry is checked in the left margin, the \$130.00 petition fee set forth in § 1.17(i) is authorized below.

☐ Please charge \$0.00 to Deposit Account No. 16-1450.

☒ Please charge any additional fees that may be required, or credit any overpayment to Deposit account No. 16-1450. This is not, however, an authorization to pay the issue fee. A duplicate of this document is enclosed.

Respectfully submitted,

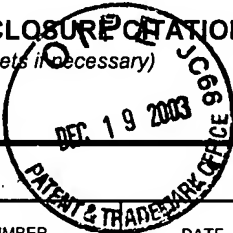
Date: 15th Dec '03



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INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				ATTY DOCKET NO. 4200.02 US		SERIAL NO. 10/659,499	
				APPLICANTS: MODY et al.			
				FILING 09/10/2003		GROUP	



U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	A1	3,845,770	11/05/74	Theeuwes et al.			
	A2	4,326,525	04/27/82	Swanson et al.			
	A3	4,902,514	02/20/90	Barclay et al.			
	A4	4,935,498	06/19/90	Sessler et al.			
	A5	4,992,445	02/12/91	Lawter et al.			
	A6	5,001,139	03/19/91	Lawter et al.			
	A7	5,011,472	04/30/91	Aebischer et al.			
	A8	5,023,252	06/11/91	Hseih			
	A9	5,041,078	08/20/91	Matthews et al.			
	A10	5,120,411	06/09/92	Sessler et al.			
	A11	5,159,065	10/27/92	Sessler et al.			

FOREIGN PATENT DOCUMENTS								
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
						YES	NO	
	B1	WO 90/10633	09/20/90	WIPO / PCT				
	B2	WO 94/09003	04/28/94	WIPO / PCT				
	B3	WO 94/29316	12/22/94	WIPO / PCT				
	B4	WO 95/10307	04/20/95	WIPO / PCT				
	B5	WO 95/21845	08/17/95	WIPO / PCT				

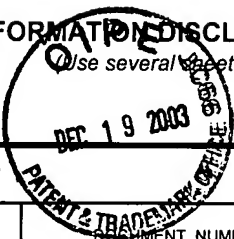
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	C1	Garini et al., Spectral Bioimaging, John-Wiley & Sons, New York, NY, pp. 87-124 (1996).	
	C2	Rockwell et al., "Growth and Cell Population Kinetics of Single and Multiple KHT Sarcomas," Cell Tissue Kinetics, vol. 1, pp. 449-457 (1972).	

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A12	5,162,509	11/10/92	Sessler et al.			
	A13	5,252,720	10/12/93	Sessler et al.			
	A14	5,256,399	10/26/93	Sessler et al.			
	A15	5,272,142	12/21/93	Sessler et al.			
	A16	5,292,414	03/08/94	Sessler et al.			
	A17	5,302,714	04/12/94	Sessler et al.			
	A18	5,369,101	11/29/94	Sessler et al.			
	A19	5,432,171	07/11/95	Sessler et al.			
	A20	5,439,570	08/08/95	Sessler et al.			
	A21	5,451,576	09/19/95	Sessler et al.			
	A22	5,457,183	10/10/95	Sessler et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B6	WO 96/09315	03/28/96	WIPO / PCT				
	B7	WO 96/38461	12/05/96	WIPO / PCT				
	B8	WO 96/40253	12/19/96	WIPO / PCT				
	B9	WO 97/26915	07/31/97	WIPO / PCT				
	B10	WO 97/35617	10/02/97	WIPO / PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

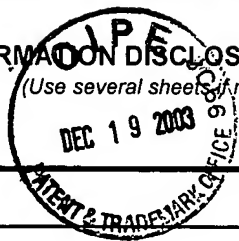
		C3	PCT International Search Report dated December 31, 2001 (12/31/2001), from International Application No. PCT/US01/26885, International Publication No. WO 02/17908, published 03/07/02 (Attorney Docket No. 4200.01 WO).

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	A23	5,457,195	10/10/95	Sessler et al.			
	A24	5,475,104	12/12/95	Sessler et al.			
	A25	5,504,205	04/02/96	Sessler et al.			
	A26	5,525,325	06/11/96	Sessler et al.			
	A27	5,530,123	06/25/96	Sessler et al.			
	A28	5,543,123	08/06/96	Hofmann et al.			
	A29	5,559,207	09/24/96	Sessler et al.			
	A30	5,565,552	10/15/96	Magda et al.			
	A31	5,567,687	10/22/96	Magda et al.			
	A32	5,569,759	10/29/96	Sessler et al.			
	A33	5,580,543	12/03/96	Sessler et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B11	WO 97/46262	12/11/97	WIPO / PCT				
	B12	WO 98/07733	02/26/98	WIPO / PCT				
	B13	WO 00/01413	01/13/00	WIPO / PCT				
	B14	WO 02/17908	03/07/02	WIPO / PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

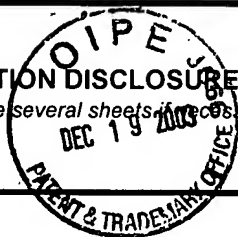
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A34	5,583,220	12/10/96	Sessler et al.			
	A35	5,587,371	12/24/96	Sessler et al.			
	A36	5,587,463	12/24/96	Sessler et al.			
	A37	5,591,422	01/07/97	Hemmi et al.			
	A38	5,594,136	01/14/97	Sessler et al.			
	A39	5,595,726	01/21/97	Magda et al.			
	A40	5,599,923	02/04/97	Sessler et al.			
	A41	5,599,928	02/04/97	Hemmi et al.			
	A42	5,601,802	02/11/97	Hemmi et al.			
	A43	5,607,924	03/04/97	Magda et al.			
	A44	5,616,345	04/01/97	Geoghegan et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

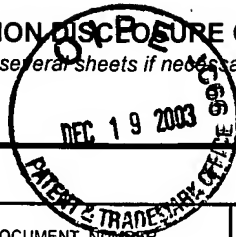
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A45	5,622,946	04/22/97	Sessler et al.			
	A46	5,672,490	09/30/97	Sessler et al.			
	A47	5,714,328	02/03/98	Magda et al.			
	A48	5,775,339	07/07/98	Woodburn et al.			
	A49	5,776,925	07/07/98	Young et al.			
	A50	5,789,491	08/25/98	Magda et al.			
	A51	5,801,229	09/01/98	Sessler et al.			
	A52	5,955,586	09/21/99	Sessler et al.			
	A53	6,022,526	02/08/00	Magda et al.			
	A54	6,022,959	02/08/00	Magda et al.			
	A55	6,638,924	10/28/03	Mody et al.			

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